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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/895,569

06/29/2001

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3859P002DR

6929

8791

7590

08/31/2004

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EXAMINER

CASAREGOLA, LOUIS J

ART UNIT

PAPER NUMBER

3746

DATE MAILED: 08/31/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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Washington, D.C. 20231

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09/895,569			

EXAMINER	
ART UNIT	PAPER NUMBER
	12

DATE MAILED:

**NOTICE OF ABANDONMENT**

This application is abandoned in view of:

- ☐ Applicant's failure to respond to the Office letter, mailed \_\_\_\_\_.
- ☐ Applicant's letter of express abandonment which is in compliance with 37 C.F.R. 1.138.
- ☐ Applicant's failure to timely file the response received \_\_\_\_\_ within the period set in the Office letter.
- ☐ Applicant's failure to pay the required issue fee within the statutory period of 3 months from the mailing date of \_\_\_\_\_ of the Notice of Allowance.

☐ The issue fee was received on \_\_\_\_\_.

☐ The issue fee has not been received in Allowed Files Branch as of \_\_\_\_\_.

In accordance with 35 U.S.C. 151, and under the provisions of 37 C.F.R. 1.316(b), applicant(s) may petition the Commissioner to accept the delayed payment of the issue fee if the delay in payment was unavoidable. The petition must be accompanied by the issue fee, unless it has been previously submitted, in the amount specified by 37 C.F.R. 1.17 (l), and a verified showing as to the causes of the delay.

If applicant(s) never received the Notice of Allowance, a petition for a new Notice of Allowance and withdrawal of the holding of abandonment may be appropriate in view of *Delgar Inc. v. Schuyler*, 172 U.S.P.Q. 513.

- ☐ Applicant's failure to timely correct the drawings and/or submit new or substitute formal drawings by \_\_\_\_\_ as required in the last Office action.

☐ The corrected and/or substitute drawings were received on \_\_\_\_\_.

- ☒ The reason(s) below.

*Six month statutory period has expired. Amendment submitted after final on 1/29/04 did not put case in condition for allowance and was not entered.*

*L. J. Conroy*

LOUIS J. CONROY  
PATENT ATTORNEY